



29 JUN 2005

UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

SCHIFF HARDIN LLP
Patent Department
6600 Sears Tower
Chicago, IL 60606-6473

In re Application of :
DISTLER, Freidrich *et al* :
U.S. Application No.: 10/527,875 :
PCT No.: PCT/DE2003/002890 :
Int. Filing Date: 01 September 2003 :
Priority Date: 16 September 2002 :
Attorney Docket No.: P05,0046 :
For: METHOD FOR OPERATING A :
COMPUTED TOMOGRAPHY :
APPARATUS HAVING A DIAPHRAGM :
AT THE RADIATION DETECTOR :

DECISION

This decision is in response to the "Petition Under 37 C.F.R. §1.182 to Correct Designation of PCT Application on Transmittal Letter" ("Pet.") filed via facsimile on 27 June 2005 and again on 28 June 2005.

BACKGROUND

On 16 March 2005, petitioners filed a national stage application listing the PCT application number on the transmittal letter (Form PTO-1390) as PCT/DE2003/003054. All other papers in the application including the substitute specification and declaration listed the international application as PCT/DE2003/002890. This application was processed by the United States Designated/Elected Office as the national stage of PCT/DE2003/003054.

On 25 March 2005, counsel filed another national stage application for PCT/DE2003/003054 which was accompanied by, *inter alia*, a declaration and specification listing the international application as PCT/DE2003/003054. This application was given U.S. application No. 10/529,827.

On 27 June 2005, after a telephone call from the undersigned, petitioners filed the subject petition to correct the transmittal letter in the above-captioned application. This petition was accompanied with a new transmittal letter (Form PTO-1390).

On 28 June 2005, applicants resubmitted the papers filed 27 June 2005. Petitioners authorized that the full petition fee of \$400.00 be charged to Deposit Account No. 50-1519.

DISCUSSION

In the papers filed 28 June 2005, petitioners state that the transmittal letter accompanying the initial application filing "incorrectly identified the underlying PCT as PCT/DE2003/003054. Every other document for the above-referenced application that was filed on March 16, 2005 was designated with the correct PCT application number." Pet. at ¶ 1. Petitioners request to substitute the original transmittal letter with the transmittal letter filed with the instant petition.

This request is treated as a petition under 37 CFR 1.182. The \$400.00 petition fee has been charged to Deposit Account No. 50-1519 as authorized. A review of the above-captioned application file verifies that the wrong U.S. application number, PCT/DE2003/003054, was designated on the transmittal letter filed with the original papers. Petitioners submitted a corrected transmittal letter and the required petition fee with the instant petition.

Petitioners have met all the requirements of a grantable petition.

CONCLUSION

For the reasons listed above, the petition under 37 CFR 1.182 to correct the PCT application number listed on the transmittal letter is **GRANTED**.

Petitioners are reminded to use **PCT/DE2003/002890** for all future correspondence regarding this application.

It is noted that U.S. application No. 10/529,827 is the national stage application for PCT/DE2003/003054.

This application is being forwarded to the National Stage Processing Division of the Office of PCT Operations for continued processing.


James Thomson

Attorney Advisor
Office of PCT Legal Administration

Tel.: (571) 272-3302